S.B.Cr.Misc. Bail App. No.5771/2006

(Smt. Kamla vs. State of Rajasthan)

Date of order : December 19, 2006

HON'BLE MR.H.R.PANWAR,J.

Mr.M.K.Garg, for the petitioner.
Mr.Vishal Raj Mehta, Public Prosecutor.
Mr.N.S.Rathore, for complainant.

Heard learned counsel for the petitioner and the Public Prosecutor for the State assisted by the counsel for the complainant. Perused the order impugned and the challan papers.

It is contended by the learned counsel for the petitioner that similarly situated co-accused Rajendra has been granted bail by the trial court and the case of the present petitioner is not distinguishable from that of co-accused. It is also contended by the learned counsel for the petitioner that there are omnibus statements and so far as the demand of dowry at the time of marriage is concerned, at best, it could be by Rakesh, husband of the deceased and not by the present petitioner.

Be that as it may, without commenting on the merit of the case, which may prejudice the case of either of the parties at the

trial of the case, having considered the totality of facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Smt. Kamla w/o Banshi Lal be released on bail in FIR No.85/2006, P.S. Mahila Thana, Sri Ganganagar provided she furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-